

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

TIMOTHY CALLIHAN, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 2:17-cv-04386

SURNAIK HOLDINGS OF WV, LLC, et al.,

Defendants.

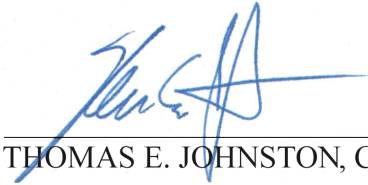
DISMISSAL ORDER

Before this Court is The Surnaik Defendants' Motion to Dismiss for Lack of Prosecution and Integrated Memorandum of Law. (ECF No. 87.) In an Order entered on July 10, 2019, this Court informed Plaintiffs that it would dismiss this matter with prejudice for failure to prosecute unless Plaintiffs responded within ten days to demonstrate why such a dismissal was inappropriate. (ECF No. 90.) That deadline has come and passed, and Plaintiffs filed no response to this Court's Order. Accordingly, this matter is **DISMISSED WITH PREJUDICE** for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b). Defendants' motion to dismiss, (ECF No. 87), is **GRANTED**.

IT IS SO ORDERED.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: July 31, 2019

A handwritten signature in blue ink, appearing to read 'Th. Johnston', is written over a horizontal line.

THOMAS E. JOHNSTON, CHIEF JUDGE